

**REMARKS**

Claims 1-22 have been examined. Claims 1-6 and 10 have been rejected under 35 U.S.C. § 102(e). Also, the Examiner has indicated that claims 1-7, 11-19 and 20-22 contain allowable subject matter.

**I. Preliminary Matters**

In the March 18, 2004 Amendment, Applicant noted that the Examiner has not acknowledged the Information Disclosure Statement submitted on September 4, 2003. Applicant further requested that the Examiner acknowledge the Information Disclosure Statement filed on February 25, 2004. The Examiner has not returned either form with the current Office Action. Accordingly, Applicant again respectfully requests that the Examiner provide the initialed PTO 1449 forms with the next Office Action.

Also, the Examiner has provided an Interview Summary acknowledging that the finality of the previous Office Action was withdrawn due to delay at the PTO. Applicant's note that a Statement of Substance of Interview was filed on June 18, 2004. Therefore, no additional formal response to the Interview Summary is necessary.

**II. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,535,292 to Kuroi ("Kuroi")**

The Examiner has again rejected claims 1-6 and 10 under 35 U.S.C. § 102(e) as being anticipated by Kuroi.

**A. Claim 1**

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that a plurality of print commands are stored into a memory. The plurality of print commands are converted from print data relating to a single print job. Each of the print commands are read from the memory to transmit the print command to a printing apparatus. After one of the print commands is read from the memory, the area of the memory where the one print command was stored, is rendered rewritable so that another print command, which is converted from the print data, can be stored in the area.

The Examiner maintains that Kuroi discloses the above features. In particular, the Examiner maintains that col. 7, lines 28-31 disclose the claimed features (pg. 5 of Office Action). However, Applicant respectfully disagrees with the Examiner. For example, Kuroi discloses that a band memory or area on a RAM 2 is used to store a rasterized print image of a print request (col. 7, lines 1-4). The band area is divided into segments and a printer control command corresponding to each of the segment areas is formed (col. 7, lines 20-26). However, assuming *arguendo* that the total band area discloses the claimed single print job, while the segments disclose the claimed plurality of commands for that single print job, Kuroi still fails to teach or suggest the features of claim 1. For example, as clearly set forth in Kuroi, once it is decided that the print request received from the application indicates the end of the printing, the band memory or area is released from the RAM 2 and the processes are finished (col. 7, lines 32-35). Thus, once the processing is finished, the entire band area relating to that single print job, i.e. all print control commands of all segments, is released from the RAM 2 **at the same time**.

Kuroi fails to teach or suggest that each segment of the band area is made rewritable after the respective print command is read from the band area, as recited in claim 1.

In further detail, claim 1 recites that after one of the print commands is read from the memory, the area of the memory where the command was stored is rendered rewritable so that another print command, which is converted from “said” (i.e. the same) print data, can be stored in the area. There is no disclosure in Kuroi that each segment (i.e. which contains a printer control command) of the print request is released upon being read, such that other segments corresponding to the print request can be stored in that area. Rather, as indicated above, Kuroi discloses that all segments of the entire band memory (i.e. the single print job) are released at once, when processing is finished.

In view of the above, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

**B. Claim 2**

Since claim 2 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

**C. Claim 3**

For similar reasons as set forth in the March 18, 2004 Amendment, Applicant submits that claim 3 is patentable over the cited reference. For example, claim 3 recites that the memory records a size of the memory and a data amount presently stored in a memory, as control data.

The Examiner refers to column 6, lines 53-58 of Kuroi, as disclosing the above feature. However, such portion of Kuroi merely discloses different memory areas of the RAM 2 (Fig. 3). There is no teaching or suggestion that a size or data amount stored in each of the memory areas is recorded as “control data”, as recited in claim 3. Accordingly, Applicant submits that claim 3 is patentable over the cited reference.

The Examiner did not provide a response to the above argument in the present Office Action. Therefore, Applicant respectfully requests the Examiner to respond to the above argument if the rejection is to be maintained.

**D. Claim 4**

For similar reasons as set forth in the March 18, 2004 Amendment, Applicant submits that claim 4 is patentable over the cited reference. For example, claim 4 recites that the recording medium records thereon a program containing information indicative of a position within the memory where the print command is stored, as the control data.

Similar to the rejection of claim 3, the Examiner maintains that column 6, lines 53-58 of Kuroi disclose such a feature. However, as stated above, such portion of Kuroi merely discloses

different memory areas of the RAM 2 (Fig. 3). Accordingly, Applicant submits that claim 4 is patentable over the cited reference.

The Examiner did not respond to the above argument in the present Office Action. Therefore, Applicant respectfully requests the Examiner to respond to the above argument if the rejection is to be maintained.

**E. Claims 5 and 6**

Although claims 1-6 and 10 are indicated as being rejected under 35 U.S.C. § 102(e) in view of Kuroi, the Examiner's rejection of claims 5 and 6 again refer to EP 0685819 to Campbell ("Campbell") (pg. 3 of Office Action). Therefore, as set forth in the March 18, 2004 Amendment, it appears that the Examiner intended to reject claims 5 and 6 under 35 U.S.C. § 103(a) in view of Kuroi and Campbell.

Nonetheless, since claims 5 and 6 are dependent upon claim 1, and Campbell fails to cure the deficient teachings of Kuroi, Applicant submits that such claims are patentable over the cited references.

**F. Claim 10**

Since claim 10 contains features which are analogous to the features recited in claim 1, Applicant submits that claim 10 is patentable over the cited reference for at least analogous reasons as claim 1.

### **III. Allowable Subject Matter**

As noted above, the Examiner has indicated that claims 20-22 are allowed and claims 7-9 and 11-19 contain allowable subject matter, but are objected to due to their dependency upon a rejected base claim.

The Examiner has not corrected the allowable claim designations. Therefore, Applicant again notes to the Examiner that claim 15 is written in **independent** form, and claims 16-19 depend from claim 15. Therefore, claims 15-19 should be considered “allowed”, rather than objected to as dependent upon a rejected base claim. Applicant again requests clarification from the Examiner.

### **IV. Newly Added Claims**

Applicant has added claims 23-28 to provide more varied protection for the present invention.

### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111  
U.S. Application No. 09/546,189

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino  
Registration No. 48,294

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 4, 2004